

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

United States of America,

Plaintiff, Case No. 23-20389

v.

Judith E. Levy
United States District Judge

John Felkins,

Defendant.

/

**ORDER GRANTING DEFENDANT'S MOTION TO
ALLOW A COMPUTER INTO THE DETENTION FACILITY [15]
AND UNSEALING DEFENDANT'S MOTION**

Before the Court is Defendant John Felkins's ex parte motion to allow a computer into the detention facility, which was filed under seal. (ECF No. 15.) The Court has reviewed the motion and agrees that an order is necessary to allow Defendant's counsel to bring a laptop computer into the detention facility so that Defendant, who is currently housed at the detention facility under custody of the U.S. Marshals, may view electronic discovery materials. As such, the Court will grant Defendant's motion.

In the motion, Defendant states that “[t]his request is made ex parte and under seal because the government has no interest in whether Mr. Felkins and his counsel can view the electronic discovery on a laptop computer at the facility where he is

housed.” (ECF No. 15, PageID.53.) “There is a ‘strong presumption in favor of open[]’ judicial records.” *Signature Mgmt. Team, LLC v. Doe*, 876 F.3d 831, 836 (6th Cir. 2017) (alteration in original) (quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1179 (6th Cir. 1983)). Generally, “[o]nly the most compelling reasons can justify non-disclosure of judicial records.” *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, 825 F.3d 299, 305 (6th Cir. 2016) (citation omitted). However, “[t]he sealing of judicial documents and records is left to the sound discretion of the Court.” *United States v. Kischnick*, No. 18-20469, 2020 WL 3172634, at *2 (E.D. Mich. June 15, 2020) (citing *Rudd Equip. Co., Inc. v. John Deere Constr. & Forestry Co.*, 834 F.3d 589, 593 (6th Cir. 2016)). The Court finds that Defendant has failed to demonstrate a compelling reason to justify sealing this motion. As such, the Court will unseal Defendant’s motion.

Accordingly, Defendant’s motion ex parte motion to allow a computer into the detention facility is GRANTED. (ECF No. 15)

It is ORDERED that Defendant’s attorney, RHONDA BRAZILE, shall be allowed to enter the detention facility with her laptop computer and shall be afforded a contact interview in a secure and private area with Defendant so that he may view the electronic discovery during normal business/visiting hours.

The Court also DIRECTS the Clerk’s Office to UNSEAL Defendant’s motion. (ECF No. 15.)

IT IS SO ORDERED.

Dated: July 21, 2023
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on July 21, 2023.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager